

California Regional Water Quality Control Board
Santa Ana Region

March 2, 2001

ITEM: 15

SUBJECT: Supplemental Environmental Projects

DISCUSSION:

Assessments for administrative civil liability (ACL) are required to be paid to the State Water Resources Control Board's Cleanup and Abatement Account (CAA). These assessments are then available for use throughout the state. Staffs and the boards of this region and all of the other regions are often asked by parties receiving ACLs whether they might fund a supplemental environmental project (SEP) somewhere within the region, instead of sending the assessment to the CAA. This is a statewide issue, and the State Board's draft Enforcement Policy describes criteria for appropriate SEPs in some detail.

Among the SEPs that have been implemented or proposed within the region are: Coastkeeper's Kelp Reforestation project, a project to divert dry weather storm drain flows from the Dunes Swimming Lagoon in Newport Beach, and a proposal to fund the development of a computer model for predicting bacterial dispersion in the event of a sewage spill event within Orange County. However, there have been instances where ACL recipients have indicated that they would like their assessments to be directed to fund a SEP, but they did not have a specific SEP proposal.

Staff will discuss with the Board a proposal for soliciting suggestions for SEPs from stakeholders throughout the region. Upon adoption of the State Board's Enforcement Policy, staff proposes to use the Policy to prepare guidance for SEP proposals for this region. We would then solicit SEPs and publish a list of potential SEPs on our website for use by anyone.

Staff is seeking input from the Board on the role it would like to play in the development and use of the list of SEPs. The Board's involvement might range from directing staff to independently review SEPs for inclusion on the regional list, to a specific review of individual SEPs by the Board prior to adding the SEP to the regional list. Staff will develop a proposal for preparing a SEP list after receiving input from the Board at this meeting.